UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on 06 July 2004.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-21 is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-21 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is in response to the applicants' communication received on

July 6, 2004.

2.   Claims 1-21 are presented for examination.

3.   The applicants have not filed an amendment to the claims or Specification.

4.   Applicants' arguments received on July 6, 2004 have been fully considered but

they are not deemed to be persuasive.

Response to Arguments

5. a. On page 1 lines 26-33, and page 2 lines 1-4 of the applicants' arguments, the

applicants have argued the following:

"On page 4 of the Office Action, the Examiner states that the Johnson reference teaches closing

a ticket session after a predetermined time, specifically, after a "time with customer component 104".

Applicant submits that the time with customer component 104 in the Johnson reference closes (or ends)

only with the occurrence of one event, that event being the closure of a customer sale. Hence, the "time"

at which the ticket session is closed is variable and is based on the occurrence of the event of a customer

sale. As a result, the system taught in the Johnson reference, unlike the present invention, does not

allow a stalled or incomplete client session to be closed before a sale is executed."

        a1. The Examiner respectfully disagrees with the applicants' remarks. Johnson

does teach the applicant's claim limitation consisting of closing the client ticket session

after a predetermined time. Johnson teaches that the salesperson support system 100

comprises a customer component 104. The customer component is used by the

salesperson during the phase of a sales process which occurs from the time a qualified

lead is identified to the time a sale is completed and an order is created. The time

associated customer component 104 is a main function of the salesperson support

system 100, since it is used by the salesperson at a time in the sales process where

maximum payback is received. The salesperson support system 100 assists

salespeople in generating revenue by committing a customer to a specific purchase, i.e.

converting the "lead" into a purchasing customer (column 4, lines 52-63). Simply put,

the applicants' claim recites "closing the client ticket session after a predetermined

time". As shown in the above teaching of Johnson, Johnson teaches a predetermined

time factor associated with the closing of the client ticket. Also, Johnson provides

detailed information about how the time factor is involved in the process of closing a

client ticket. The applicant's claim limitation for "closing the client ticket session after a

predetermined time" is not based on any other specific requirements. The closing of the

client ticket is based on an associated "period of time" as recited in the independent

claims of the applicants' application.

The applicants' further argue that "As a result, the system taught in the Johnson reference,

unlike the present invention, does not allow a stalled or incomplete client session to be closed before a

sale is executed." Again, the Examiner disagrees with the applicants' remarks. The

method of Johnson does provide and/or "allow a stalled or incomplete client session to

be closed before a sale is executed". Johnson teaches a quote preparation module 408

(col. 12, line 1). Johnson's quote preparation module enables calculating and preparing

a bottom line quotation. The salesperson provides the customer with immediate and

accurate quotes for one or more units. Unit price, quantity, tradein value, discounts,

fee, and taxes are all taken into consideration in order to present an accurate and

consistent quote. The quotation module 408 may include quotation module worksheet

that is able to calculate a quote price based on profitability requirements. The quotation

module 408 automatically provides defaults, parameters and tax formulas, which can be

established using a tool box in the system administration subsystem 205, to prompt for

specific information required to accurately and consistently calculate a quotation. The

quotation module 408 is integrated to the configuration module 406 to allow the

salesperson to quote a unit specified in the configuration module 406 if desired. The

quote module 408 is intelligently integrated to the rest of the system via the event

manager 201A. The event manager may recognize that a firm quote has been given to

a potential customer using the quote module 408. In an environment where product

quantities are limited, the event manager may notify the back office system which in turn

may automatically generate an order to increase the inventory on hand. Such an

intelligent operation may be further enhanced using knowledge of how many firm quotes

result in actual purchases. For example, the system may monitor the quote module 408

and order extra inventory every third quote when experience has indicated that one out

of three quotes results in an order (column 14, lines 21-38, column 15, lines 4-15). As a

result, Johnson provides a "quote module 408" which is similar to the applicants

"incomplete client session". Essentially, Johnson's "quote module 408" is a "stalled or

incomplete client session" that can be closed before a sale is executed. Johnson's

"quote module 408" is merely a suggested proposal and/or a hypothetical arrangement

of a possible sale initiated from the salesperson to the consumer when purchasing a product. Johnson's "quote" does not rely on an affirmative executed sale. As stated in the above recited text of Johnson, Johnson's "quote module 408" <u>may</u> result in a confirmed purchase order.

It appears that the applicants' are suggesting that <u>one</u> of the requirements for "closing a client ticket session after a predetermined time" is based on "allowing a stalled or incomplete client session to be closed before a sale is executed." However, there is no support for this statement, "allowing a stalled or incomplete client session to be closed before a sale is executed", within the independent claims, nor is there support for this statement in the dependent claims. Again, as recited in the arguments above, "closing a client ticket session after a predetermined time" does not require any specific requirements other than (1) a client ticket session and (2) closing of the client ticket session after a "<u>predetermined time</u>".

b. On page 2 lines 5-15 of the applicants' arguments, the applicants have argued the following:

"One embodiment of the present invention comprises closing client ticket sessions after a period of one month. In such an example, a client who begins the sales process but fails to close the sales process within a month would have associated closed client ticket session. When the client resumes the sales process, a new client ticket session is opened. These multiple client tickets enable the client ticket sessions to be analyzed independently and relative to one another. While Applicant's claims do support this example embodiment, the Johnson reference provides no teaching or suggestion to support such an embodiment."

b1. The Examiner respectfully disagrees with the applicants' remarks. In the applicants' above recited arguments, the applicants have suggested that the closing of a client ticket session after a period of one month has an associated closed client ticket session. A new client ticket session is opened, therefore multiple client tickets enable the client ticket sessions to be analyzed independently. The applicants further state that the claims support the above described embodiment for multiple client tickets. However, there is <u>no</u> support for this allegation of "multiple client tickets" that are opened and can be analyzed independently. The applicants' independent and dependent claims do not comprise this embodiment. The independent claims recite "closing the client ticket session after a predetermined time, and once the client ticket session is closed, precluding further alteration of the client ticket." Further, the dependent claims recite "providing client identification information to associate the client ticket with a client; associating an item with the client ticket; associating a trade-in with the client ticket; searching available inventory for an item desired by the client", etc.

If the applicants are relying on this embodiment for "multiple client tickets that are opened and can be analyzed independently" to be a part of the pending claims, then the Examiner suggest that the applicants should consider amending the claims to comprise the embodiment for "multiple client tickets" that are opened and can be analyzed independently. Amending the claims to include the above mentioned embodiment could possibly overcome the Johnson reference.

c. On page 2 lines 16-26 of the applicants' arguments, the applicants have argued the following:

"...Applicant respectfully submits that the Johnson reference does not teach or suggest precluding alteration of a client ticket session once it has been closed. By precluding alteration to client tickets that have been closed, the present invention enables a multiple client ticket history. For example, a user who is analyzing four session tickets for the same sale would lose valuable process-oriented information if data from the first client ticket is changed repeatedly following numerous related client contacts."

c1. The Examiner respectfully disagrees with the applicants' remarks. In fact, it is the applicants' claim limitations that do not teach nor mention providing a "multiple client ticket history". Again, the examiner has carefully reviewed the independent and dependent claims and there is no mention of a "multiple client ticket history" as the premise of "precluding further alteration of the client ticket" as stated in the independent claims. As stated in the Office Action of May 5, 2004, page 4, paragraph 7, Johnson teaches the claim limitations comprising "precluding further alteration of the client ticket once the client ticket session is closed". In short, Johnson teaches a finality of a sales to a client. If any new sales promotions and/or new incentives are offered after an agreement has been reached between the salesperson and the customer, then the system will not provide any further information to the customer with regards to new promotions and/or new incentives. The system leaves the initial sales agreement as is between the salesperson and the customer (column 32 lines 57-67, column 33 lines 1-4 and 31-47).

Again, the Examiner suggests that the applicants should consider amending the claims to comprise the embodiment for a "multiple client ticket history", especially if the "multiple client ticket history" is a requirement for "precluding further alteration of the

client ticket once the client ticket session is closed". Amending the claims to include the above mentioned embodiment could possibly overcome the Johnson reference.

In summary, it is respectfully submitted that the applicants' remarks with regards to (1) "allowing a stalled or incomplete client session to be closed before a sale is executed"; (2) "multiple client tickets that are opened and can be analyzed independently"; and (3) "multiple client ticket history" are not a part of the applicants' claim limitations. Applicants have relied on these 3 arguments as being the basis of their invention and have argued that Johnson does not teach either of the 3 arguments. Subsequently, since these 3 arguments are not a part of the applicants' claim limitations, then Johnson does teach each and every element of the applicants claim limitations.

It is respectfully submitted that the prior art of record, Johnson (Pat. No. 6,067,525), teaches the limitations of independent claims 1, 17, 18, and 21 as recited in the arguments above. The remaining claims each comprise claim limitations corresponding substantially to the above-discussed claim limitations and are also addressed by the above remarks.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.　　　Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by

Johnson et al. (Pat. No. 6,067,525 filed October 30, 1995, hereinafter Johnson).

8.　　　Regarding Claim 1, 17, and 21, Johnson teaches an integrated computerized

sales force automation system.

The method and associated system for an integrated computerized sales force

automation system as taught or suggested by Johnson includes:

opening a client ticket session to create a client ticket (figure 1, elements

108,120, 122, 124, figure 2 elements 102-112A, col. 4, lines 52-67 '...time with

customer component 104. This component is used by the salesperson during the

phase of the sales process which occurs from the time a qualified lead is identified to

the time a sale is completed and an order is created...', col. 5, lines 31-50 'The order

management component 106 assists sales personnel in efficiently managing the critical

sales process phase that encompasses the time between the purchase decision and

the time the product or service is delivered.', col. 13, lines 7-20 'The customer module

404 is used by the salesperson to facilitate gathering of customer-specific information

that is used throughout the sales system, for example, in printed material and on order

creation templates.', figure 5, elements 502-510, col. 17, lines 59-67 'The order creation

and submittal module 502 is provided as part of the order management component to

facilitate create and submission of an order by adding any addition information to a

proposal or quote...'); supplying the client ticket with information (col. 4, lines 64-67, col.

5, lines 1-12, col. 13, lines 7-23 '...information may include data such as the customer's current units, required performance standards, account type or family, as well as the standard information including names, addresses, phone numbers...', col. 25, lines 16-64 'The configuration data tool 1202 allows data maintenance personnel to create, edit and update the configuration portions of the knowledged database...allowing the user to create and edit the database...'); closing the ticket session after predetermined time (col. 4, lines 52-67 '...time with customer component 104. This component is used by the salesperson during the phase of the sales process which occurs from the time a qualified lead is identified to the time a sale is completed...' col. 20, lines 49-67, col. 21, lines 17-25), and once the client ticket session is closed (col. 10, lines 34-36, col. 12, lines 12-21), precluding further alteration of the client ticket (col. 32, lines 57-67, col. 33, lines 1-4 and 31-47); and display a screen prompting the user to associate the client ticket to a client and a product (col. 12, lines 21-42, col. 16, lines 40-62).

9.   Regarding Claim 2, Johnson teaches providing client identification information to associate the client ticket (col. 13, lines 7-23 '...information may include data such as the customer's current units, required performance standards, account type or family, as well as the standard information including names, addresses, phone numbers...') with a client and associating an item with the client ticket (col. 17, lines 32-67).

10.   Regarding Claim 3, Johnson teaches associating a trade-in item with the client ticket (col. 14, lines 46-67 'The quotation module may also be provided with the ability to include trade-in information entered by the user...a separate trade-in module may be provided in the time with customer component 104...').

11.   Regarding Claim 4, Johnson teaches searching available inventory for an item

desired by the client (col. 12, lines 58-65, col. 18, lines 10-16, col. 25, lines 1-5);

identifying the item (col. 16, lines 52-62); and transferring information to the client ticket

that pertains to the item (col. 5, lines 24-31, col. 7, lines 27-42).

12.   Regarding Claim 5, Johnson teaches creating a deal based on the information

recorded in the client ticket (col. 12, lines 13-21, col. 17, lines 38).

13.   Regarding Claim 6, Johnson teaches prohibiting a deal based (col. 28, lines 58

and 59).

14.   Regarding Claim 7, Johnson teaches utilizing a computer input device to   .

manually provide information as prompted by a computer generated display (col. 8,

lines28-33, col. 10, lines 6-19, col. 11, lines 38-57, col. 12, lines 22-42, col. 25, lines 55-

64).

15.   Regarding Claim 8, the limitations of this claim has been noted in the rejection

above. In addition, Johnson teaches a means to review a client communication of the

relevant set of information (col. 12, lines 22-42).

16.   Regarding Claim 9, Johnson teaches obtaining a qualified client contact which is

characterized by an instance of interaction with a client that can reasonably be

construed as a sale opportunity (col. 19, lines 34-46, col. 20, lines 29-43).

17.   Regarding Claim 10, Johnson teaches supplying the client ticket with information

pertaining to the qualified client contact (col. 19, lines 34-46, col. 20, lines 29-48).

18.   Regarding Claims 11, 16, and 19, Johnson teaches repeating receiving, opening,

supplying and closing steps (figures 16 and 17, col. 4, lines 52-67, col. 5, lines 1-12 and

31-50, col. 13, lines 7-23).

19.   Regarding Claims 12-15 and 20, the limitations of this claim has been noted in

the rejection above. In addition, Johnson teaches storage in a database (col. 8, lines

30-33) and a collection of events (col. 8, lines 30-33).

20.   Regarding Claim 18, Johnson teaches obtaining a qualified client contact (col.

19, lines 34-46, col. 20, lines 29-43) which is characterized by an interaction between

the automobile sales organization (col. 10, lines 6-20) and the customer that can

reasonably be construed as a sale opportunity (col. 7, lines 58-67, col. 8, lines 1-21);

opening a client ticket session to create a client ticket (figure 1, elements 108,120, 122,

124, figure 2 elements 102-112A, col. 4, lines 52-67, col. 5, lines 31-50, col. 13, lines 7-

20, figure 5, elements 502-510, col. 17, lines 59-67); supplying the client ticket with

information (col. 4, lines 64-67, col. 5, lines 1-12, col. 13, lines 7-23, col. 25, lines 16-

64); closing the ticket session after predetermined time (col. 4, lines 52-67, col. 20,

lines 49-67, col. 21, lines 17-25), and once the client ticket session is closed (col. 10,

lines 34-36, col. 12, lines 12-21), precluding further alteration of the client ticket (col. 32,

lines 57-67, col. 33, lines 1-4 and 31-47).

21.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

       A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

NAME OF CONTACT

22.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cheryl Lewis whose telephone number is (571) 272-

4113. The examiner can normally be reached on 6:30-3:00.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for

the organization where this application or proceeding is assigned is (703) 872-9306 or

(703) 305-9731.

        (571) 273-4113 (Use this FAX #, only after approval by Examiner, for

"INFORMAL" or "DRAFT" communication. Examiners may request that a formal

paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Cheryl Lewis
Patent Examiner
January 4, 2004

GRETA ROBINSON
PRIMARY EXAMINER